



Montgomery County Council

From the office of Councilmember Howard Denis

News Release

February 23, 2005

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**Denis to support Annapolis bill granting freedom to
cast write-in votes**

**Where: Economic Health Environmental Affairs Committee
Room 2W, Miller Senate Building – Annapolis**

When: Thursday, February 24, 2005 1 PM

The bill: SB 288 - Election Law - Voters' Authority to Cast Write-In Votes - sponsored by Senator Brian Frosh – First reading 1/28/05.

“Following the primary election last year, I found that voters could not cast a write-in vote at the polls. I inquired into what seemed to be a glitch in the new computerized voting system, and was astonished to find there was no glitch at all.

“What I found was that a Maryland law, enacted in 1957, specifically prohibits write-in votes in primary elections. This is surprising, given that Maryland Election Law allows for write-in votes for any office in a general election or a special general election. In the past, voters most likely never knew that write-ins were prohibited, as there was always an opportunity to pencil in a candidate’s name on the paper ballots.

“Especially in situations where an elected official dies in office, the prohibition on write-ins could leave voters in a difficult position

(more...)

page two

without the ability to express their preference. In the past 26 years, we've had several situations when major candidates have died. In 1998, Comptroller Louis L. Goldstein died three days before the deadline to enter the primary. In 1980, U.S. Rep. Gladys Noon Spellman of Laurel lapsed into a semi-comatose state after an accident but remained on the ballot and was re-elected. Her seat was then left unfilled until a special election in 1981. In October 1978, U.S. Rep. Goodloe Edgar Byron of Frederick died of a heart attack while jogging. With the primary over, a write-in campaign carried his wife, Beverly B. Byron, to the seat, which she held until 1993.

"Crisis or not, it is better for voters to be able to cast a vote for someone they support. In March of last year I introduced – and the Council adopted -- a resolution that calls upon our State lawmakers and the Governor to repeal the prohibition on write-in votes during primary elections. Since the purpose of the primary election is to bring candidates forward for consideration at the general election, it is important to our democratic process that voters have the ability to make their choices known."

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